

HOUSE BILL 1373  
By Briley

AN ACT to amend Tennessee Code Annotated, Section 8-8-213 and Section 38-3-102, relative to the powers and duties of the sheriff and the prevention and detection of crime.

WHEREAS, the continued threat of terrorism against the citizens of Tennessee will exist for the foreseeable future; and

WHEREAS, the detection and prevention of terrorist attacks and the response to acts of terrorism, if necessary, constitute an essential role of state and local government; and

WHEREAS, the manufacturing, trafficking and abuse of methamphetamine plagues counties across Tennessee; and

WHEREAS, the availability and demand for methamphetamine continue to increase through Tennessee; and

WHEREAS, methamphetamine is commonly manufactured in clandestine labs across Tennessee; and

WHEREAS, these clandestine methamphetamine labs pose a significant threat to the citizens of Tennessee; and

WHEREAS, the General Assembly recognizes methamphetamine as a clear and present danger to the health and well being of our children and our general population; and

WHEREAS, protecting the lives and property of the citizens of this state is the highest priority of state and local government; and

WHEREAS, the sheriff is the principal conservator of the peace in his or her county and is the commander in chief of the law forces of the county; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-8-213, is amended by deleting the existing language and by adding the following new subsections:

(a) The sheriff and the sheriff's deputies are conservators of the peace, and it is the sheriff's duty to suppress all affrays, riots, routs, unlawful assemblies, insurrections, or other breaches of the peace, detect and prevent crime, arrest any person lawfully, execute process of law, and patrol the roads of the county.

(b) The sheriff shall furnish the necessary deputies to carry out the duties set forth in subsection (a), and if necessary may summon to such sheriff's aid as many of the inhabitants of the county as such sheriff thinks proper.

SECTION 2. Tennessee Code Annotated, Section 38-3-102, is amended by designating the existing language as subsection (a) and by adding the following new subsection:

(b) It shall be the duty of the sheriffs in their respective counties by themselves or deputies, to patrol the roads of the county, to ferret out crimes, to secure evidence of crimes, and to apprehend and arrest criminals.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.